

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:19-CR-75-FL-1

UNITED STATES OF AMERICA

v.

BRYAN CHRISTOPHER HALL,

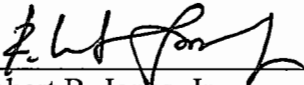
Defendant.

ORDER

This matter comes before the court on Defendant's motion to suppress. [DE-86]. The Government responded in opposition to Defendant's motion, and Defendant replied. [DE-94, -96]. The undersigned held an evidentiary hearing on December 19, 2019 to further develop the record. [DE-108].

The court invites both parties to submit additional briefing on the issue of whether exigent circumstances justified the warrantless search of Defendant's car. *See Birchfield v. North Dakota*, – U.S. –, 136 S. Ct. 2160, 2173 (2016) (holding that the exigent circumstances exception “permits, for instance, the warrantless entry of private property when there is a need to provide urgent aid to those inside, when police are in hot pursuit of a fleeing suspect, and when police fear the imminent destruction of evidence.”). In particular, the parties should consider the five factors articulated in *United States v. Turner*, 650 F.2d 526, 528 (4th Cir. 1981). Additionally, the parties may address the exceptions to the exclusionary rule, including the good faith exception established in *United States v. Leon*, 468 U.S. 897, 926 (1984). Supplemental briefs from both parties are due no later than **March 6, 2020**.

Submitted, this the 25 day of February, 2020.



Robert B. Jones, Jr.
United States Magistrate Judge